



General Assembly

Amendment

January Session, 2009

LCO No. 6619

SB0065006619SD0

Offered by:

SEN. MEYER, 12th Dist.

REP. ROY, 119th Dist.

To: Subst. Senate Bill No. 650

File No. 707

Cal. No. 486

"AN ACT CONCERNING THE CREATION OF A TRUST FOR THE CARE OF AN ANIMAL."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 26-72 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2009*):

5 The commissioner may, after notice and public hearing conducted
6 in the manner prescribed by section 26-67, issue regulations governing
7 and prescribing the taking of all species of fur-bearing animals by use
8 of traps within the state. Such regulations may (1) establish the open
9 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
10 methods that may be used, including size, type and kind of traps and
11 the type and kind of bait and lures, (4) designate the places where
12 traps may be placed and set and the conditions under which the
13 placing and setting of traps will be legal, (5) establish the daily bag
14 limit and the season bag limit, (6) assess a reasonable fee, or develop a

15 comparable equitable plan, for season trapping rights on state-owned
16 property. Assignment of such rights for specific areas may be
17 determined by drawing or by the order in which requests therefor are
18 recorded as received in the office of the commissioner when there is a
19 set fee for such areas, or the method of high bid may be used. No
20 person shall set, place or attend any trap upon the land of another
21 without having in his possession the written permission of the owner
22 or lessee of such land, or his agent, and no person shall set, place or
23 attend any trap not having the name of the person using such trap
24 legibly stamped thereon or attached thereto; provided the owner or
25 legal occupant of such land or such person as he designates may set,
26 place or attend any legal steel trap in any place within a radius of one
27 hundred feet of any permanent building located on such land. No
28 person who sets, places or attends any trap shall permit more than
29 twenty-four hours to elapse between visits to such trap; provided, if
30 such twenty-four-hour period expires before sunset, the person who
31 set such trap shall have until sunset to visit the same. No person shall
32 place, set or attend any body-crushing trap, leghold trap, snare, net or
33 similar device capable of taking, killing or injuring any animal. For
34 purposes of this section, "body-crushing trap" means a device designed
35 to kill an animal with a blow or crushing force to the body and
36 includes, but is not limited to, conibear-style traps and "leghold trap"
37 means a device designed to close on the foot or leg of an animal with
38 sufficient force to hold the animal until the person tending the trap
39 returns. A leghold trap includes, but is not limited to, a steel-jawed
40 leghold style trap that is either padded or unpadded. For purposes of
41 this section, cage and box traps, nets, suitcase-type beaver traps and
42 common rat and mouse traps shall not be considered body-crushing
43 traps, leghold traps or snares. The pelt of any fur-bearing animal
44 legally taken may be possessed, sold or transported at any time. Upon
45 demand of any officer having authority to serve criminal process or
46 any representative of the Department of Environmental Protection,
47 any person in possession of any such pelt shall furnish to such officer
48 or such representative satisfactory evidence that such pelt was legally
49 taken or acquired. No provision hereof shall be construed as

50 prohibiting any landowner or lessee of land used for agricultural
51 purposes or any citizen of the United States, or any person having on
52 file in the court having jurisdiction thereof a written declaration of his
53 intention to become a citizen of the United States, who is regularly
54 employed by such landowner or lessee, from pursuing, trapping and
55 killing at any time any fur-bearing animal, except deer, which is
56 injuring any property, or the owner of any farm or enclosure used for
57 breeding or raising any legally acquired fur-bearing animal who has a
58 game breeder's license issued by the commissioner or a fur breeder's
59 license issued by the Livestock Division of the Department of
60 Agriculture, from taking or killing any such animal legally in his
61 possession at any time or having in possession any pelt thereof. No
62 person shall molest, injure or disturb any muskrat house or den at any
63 time. Any fur-bearing animal legally taken alive may be possessed by
64 the person taking the same, provided he shall notify the commissioner
65 in a writing signed by him stating the species and sex of such animal,
66 the date and the name of the town where such animal was taken and
67 the specific address where such animal will be kept. Any
68 representative of the department may at any time inspect such animal
69 and the enclosure or other facilities used to hold such animal and make
70 inquiry concerning the diet and other care such animal should have
71 and if, in the opinion of the commissioner or such representative, such
72 animal is not being provided adequate or proper facilities or care, such
73 animal may be seized by such representative of the department and be
74 disposed of as determined by the commissioner. Fur-bearing animals
75 taken alive, as herein provided, shall not be sold or exchanged,
76 provided the person who legally possesses such animal may apply to
77 the commissioner for a game breeder's license or to the Livestock
78 Division of the Department of Agriculture for a fur breeder's license
79 and when so licensed he may breed such animal and the progeny
80 thereof, and such issue when three generations removed from the wild
81 may be sold or exchanged alive or dead. Any trap illegally set and any
82 body-crushing trap, leghold trap, snare, net or similar device found
83 placed or set in violation of the provisions of this section shall be
84 seized by any representative of the department and, if not claimed

85 within twenty-four hours, the commissioner may order such trap,
86 snare, net or other device destroyed, sold or retained for use by the
87 commissioner. Any person who violates any provision of this section
88 or any regulation issued by the commissioner shall be fined not more
89 than two hundred dollars or be imprisoned not more than sixty days
90 or both. Whenever any person is convicted, or forfeits any bond, or has
91 his case nolledd upon the payment of any sum of money, or receives a
92 suspended sentence or judgment for a violation of any of the
93 provisions of this section or any regulation issued hereunder by the
94 commissioner, all traps used, set or placed in violation of any such
95 provisions or any such regulation may, by order of the trial court, be
96 forfeited to the state and may be retained for use by the department or
97 may be sold or destroyed at the discretion of the commissioner. The
98 proceeds from any such sale shall be paid to the State Treasurer and by
99 him credited to the General Fund."